

PRESS RELEASE

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INSURANCE COMMISSION ANNOUNCES CONVICTION OF MARSHALL COUNTY CONTRACTOR

CHARLESTON, WV – West Virginia Insurance Commissioner, Jane L. Cline, announced today the conviction of Marshall County contractor Richard J. Custer, Jr., on the felony charge of making a false statement to the West Virginia Workers' Compensation Commission.

The indictment returned in November 2004 charged Mr. Custer with providing false information regarding dates of employment on an application for Workers' Compensation coverage. Mr. Custer pleaded guilty in Marshall County Circuit Court September 8, 2005.

"West Virginia employers are required to subscribe to the state Workers' Compensation Fund" Cline said. "Criminal charges may be filed against any employer who fails to subscribe, file reports, pay taxes as required by law, or makes a false report or statement."

Prosecution in this case has been a joint effort by the Insurance Commission's Office of Inspector General and the office of Marshall County Prosecuting Attorney Jeffrey Cramer.

Penalties for an employer found guilty of making a false statement include confinement in a state correctional facility for one to three years, and a fine of one thousand to three thousand dollars, or both, in the discretion of the court. The court shall also order full restitution of all moneys paid by or due to the Workers' Compensation Fund as a result of the violation. Sentencing in this case is scheduled for October 12, 2005 in the Circuit Court of Marshall County.